

**DECISION  
GRAFTON PLANNING BOARD**

RECEIVED TOWN CLERK  
GRAFTON, MA

**DEFINITIVE SUBDIVISION PLAN  
"VILLAGE AT INSTITUTE ROAD" SUBDIVISION**

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**100 Westboro Road & Institute Road, North Grafton, MA  
(Assessor's Map 22, Lot 12)**

Decision of the Grafton Planning Board (hereinafter the Board) on the petition of D & F Afonso Builders, Inc., 189 Main Street, Milford, MA 01757 (hereinafter the Applicant / Owner), for approval of a Definitive Subdivision Plan for a 46 lot Conventional Development Residential Subdivision on property located at 100 Westboro Road & Institute Road, and shown as Grafton Assessor's Map 22, Lot 12 (hereinafter the Site) by deed recorded in the Worcester District Registry of Deeds (WDRD) in Book 34122, Page 57.

## **I. BACKGROUND**

Based on the previously approved Major Residential Development Special Permit (MRSP 2014-10), the application for Approval of a Definitive Subdivision Plan (hereinafter Application) was filed with the Town Clerk on September 29, 2016. Notice of the public hearing and the subject matter thereof was published in the Grafton News on November 10 & November 17, 2016. Due to change in membership the Application was re-advertised in the Grafton news on May 4 & May 11, 2017 and posted with the Town Clerk's Office. Abutters were notified by First Class Mail. The public hearing on the Application was opened on November 28, 2016 and continued, at the request of the applicant with concurrence of the Board to January 23, February 13 (Decision Deadline Extension to 3/17), March 27, April 10, April 24. The public hearing on the Application was re-advertised and was opened on May 22 and continued, at the request of the applicant with concurrence of the Board to June 12, June 26, July 10, July 24, August 14, September 11, September 25, October 23, November 13, and November 27, 2017. During the public hearings, all those wishing to speak to the petition were heard. Following public input the hearing was closed on November 27, 2017.

The following Board members were present throughout the public hearing following the May 4<sup>th</sup> and May 11<sup>th</sup> re-advertisement: Chairman Michael Scully, Vice Chairman Robert Hassinger, Clerk J. Daniel Graham, and Members Linda Hassinger and David Robbins. Present for the Applicant were Normand T. Gamache, Jr., PLS and Peter Lavoie, PE of Guerriere & Halnon. The record of the proceedings and submissions upon which this decision is based may be referred to in the Office of the Town Clerk or in the Office of the Planning Board.

Multiple requests by the Applicant were made to continue the public hearing, all of which were approved by the Board. The continuances necessitated the Decision deadline to be extended in order for the Board to make Findings and Conditions. Requests were made and granted as follows:

- First Decision Deadline Extension Request to March 31, 2017 (Exhibit #12).
- Second Decision Deadline Extension Request to May 19, 2017 (Exhibit #21)
- Third Decision Deadline Extension Request to May 31, 2017 (Exhibit #28).
- Fourth Decision Deadline Request to June, 30, 2017 (Exhibit #29).
- Fifth Decision Deadline Extension Request to July 28, 2017 (Exhibit #37).

- Sixth Decision Deadline Extension Request to August 17, 2017 (Exhibit #39).
- Seventh Decision Deadline Extension Request to September 29, 2017 (Exhibit #54).
- Eighth Decision Deadline Extension Request to October 31, 2017 (Exhibit #59).
- Ninth Decision Deadline Extension Request to December 11, 2017 (Exhibit #66).
- Tenth Decision Deadline Extension Request to December 15, 2017 (Exhibit #69).
- Eleventh Decision Deadline Extension Request to January 26, 2018 (Exhibit #72).

## **II. EXHIBITS**

The following items were submitted to the Board for its consideration of this application:

### **1. Original Application Submission:**

- a. Application for Approval of a Definitive Plan for Def Plan 2016-1 – Signed By Dominic Afonso – Dated and Received September 29, 2016 – 1 Page.
- b. Certificate of Good Standing – Signed By Samantha Lubke – Dated July 13, 2016 – Received September 29, 2016 – 1 Page.
- c. Certified Abutter's List – 100 Westboro Road – By: Tammy Kalinowski - Dated July 14, 2016 – Received September 29, 2016 – 1 Page.
- d. Cover Letter – Submitted by Guerriere & Halnon, Inc. – Dated and Received on September 29, 2016 – 2 pages.
- e. Plan Set: "The Village at Institute Road" A Definitive Conventional Subdivision in Grafton, MA Plan Set – prepared by Guerriere & Halnon, Inc.; black & white; 11"x17"; Dated September 16, 2016; Received September 29, 2016; 27 pages as follows:
  - Sheet 1: .....Cover Sheet
  - Sheet 2: .....Definitive Index Plan
  - Sheets 3-8: .....Lot Layout Plan
  - Sheet 9: .....Grading Index Plan
  - Sheets 10-15: .....Grading Plan
  - Sheet 16: .....Plan and Profile: Audrina Lane
  - Sheets 17-18: .....Plan and Profile: Brooke Street
  - Sheet 19: .....Plan and Profile: Dylan Way
  - Sheet 20: .....Plan and Profile: Cross Country Sewer & Westboro Road Sewer
  - Sheet 21: .....Plan and Profile: Westboro Road
  - Sheet 22: .....Plan and Profile: Institute Road
  - Sheet 23: .....Institute Road Improvements Plan
  - Sheet 24: .....Erosion Control Plan
  - Sheet 25-27: .....Detail Sheet

- f. Erosion Control Plan – Dated September 16, 2016 – Prepared By Guerriere & Halnon, Inc. – Stamped By Normand T. Gamache, Jr., PLS – Received September 29, 2016 – 11"x17" – Black and White – 2 Pages.
  - g. Grading Index Plan – Dated September 16, 2016 – Prepared By Guerriere & Halnon, Inc. – Stamped By Normand T. Gamache, Jr., PLS – Received September 29, 2016 – 11"x17" – Black and White – 8 Pages.
  - h. Plan and Profile Audrina Lane – Dated September 16, 2016 – Prepared By Guerriere & Halnon, Inc. – Stamped By Normand T. Gamache, Jr., PLS – Received September 29, 2016 – 11"x17" – Black and White – 8 Pages.
  - i. Application for Approval of a Definitive Plan for Def Plan 2016-1 Engineer's Certificate – Signed by Elizabeth A. Mainini, PE of Guerriere & Halnon, Inc. – Dated & Received September 29, 2016 – 1 Page.
  - j. Environmental and Community Impact Analysis "The Village at Institute Road" – Prepared By Guerriere & Halnon, Inc. – Received September 29, 2016 – 4 Pages.
  - k. Correspondence – Submitted by Greenman-Pedersen, Inc. – Dated September 16, 2016 – To: Mr. Michael Scully, Grafton Planning Board Chair – Subject: Letter of Commitment Proposed Residential Development Institute Road, Grafton, MA – Received September 29, 2016 – 3 Pages.
  - l. Hydrologic & Hydraulic Report – Prepared by Guerriere & Halnon – Dated September 13, 2016 – Received September 29, 2016 – 103 pages.
  - m. Application for Approval of a Definitive Plan for Def Plan 2016-1 Land Surveyor's Certificate – Signed by Normand T. Gamache, Jr., PLS of Guerriere & Halnon, Inc. – Dated & Received September 29, 2016 – 1 Page.
  - n. Application for Approval of a Definitive Plan Project Information Summary (PIS) – Dated & Received September 29, 2016 – 12 Pages.
  - o. Resubmitted Email – From: Normand T. Gamache, Jr., PLS of Guerriere & Halnon, Inc. and Normand Crepeau, Jr., Grafton Police Chief – Re: Approval of Proposed Street Names Village at Institute Rd – Dated May 6, 2016 - Received September 29, 2016 – 2 Pages.
  - p. Waiver Request – Submitted by Guerriere & Halnon, Inc. – Dated and Received September 29, 2017 – 1 page.
- 2. Interdepartmental Comments – From: Board of Health – Re: Village at Institute Road / 100 Westboro Road / Institute Road – Dated & Received October 4, 2016 - 1 Page.
  - 3. Public Hearing Legal Notice – Stamped by the Town Clerk on November 4, 2016 – 1 page.
  - 4. Graves Engineering, Inc. Correspondence – To: Joseph Laydon, Town Planner – Re: The Village at Institute Road Definitive Plan Review - Dated & Received November 8, 2016 – 7 Pages.
  - 5. Grafton Wastewater Treatment Facility Memo – To: Planning Board – From: Paul Cournoyer – Dated November 3, 2016 – Re: Village at Institute Road – Received November 15, 2016 – 8 Pages.
  - 6. Public Hearing Sign In Sheet – November 28, 2016 – 1 page.
  - 7. Public Hearing Continuance Request Sheet – Dated November 28, 2016 – 1 page.
  - 8. Public Hearing Sign In Sheet – January 23, 2017 – 1 page.

9. Mullin Rule Certification for November 28, 2016 Public Hearing – Signed by Michael Scully – Dated February 28, 2017 – 1 page.
10. Correspondence – Re: The Village at Institute Road – From Jeffrey Smith – Dated November 29, 2016 – Dated November 30, 2016 – 2 pages.
11. Correspondence – Subject: Village at Institute Road – From Paul F. Cournoyer, Superintendent of Sewers – Dated & Received January 10, 2017 – 9 pages.
12. Decision Deadline Extension for Definitive Subdivision – Signed by Normand T. Gamache Jr. – Dated February 13, 2017 – 1 page.
13. Decision Deadline Extension for Definitive Subdivision – Signed by Normand T. Gamache Jr. – Dated February 19, 2017 – 1 page.
14. Correspondence – From Guerriere & Halnon, Inc. – Re: The Village at Institute Road, Response to Definitive Plan Review – dated February 21, 2017 – Dated February 22, 2017 – 8 pages.
15. Revised Waiver Request – Submitted by Guerriere & Halnon, Inc. – Dated February 21, 2017 – Received February 22, 2017 – 2 pages.
16. Revised Plan Set:
  - a. "The Village at Institute Road" A Definitive Conventional Subdivision in Grafton, MA Plan Set – prepared by Guerriere & Halnon, Inc.; black & white; 11"x17"; Revised February 14, 2017 – Received on February 22, 2017 – 32 pages as follows:
    - Sheet 1: .....Cover Sheet
    - Sheet 2: .....Definitive Index Plan
    - Sheets 3-8: .....Lot Layout Plan
    - Sheet 9: .....Grading Index Plan
    - Sheets 10-15: .Grading Plan
    - Sheet 16: .....Plan and Profile: Audrina Lane
    - Sheets 17-18: .Plan and Profile: Brooke Street
    - Sheet 19: .....Plan and Profile: Dylan Way
    - Sheet 20: .....Plan and Profile: Cross Country Sewer & Westboro Road Sewer
    - Sheet 21: .....Plan and Profile: Westboro Road
    - Sheet 22: .....Plan and Profile: Institute Road
    - Sheet 23: .....Plan and Profile: Walking Paths
    - Sheet 24: .....Plan and Profile: X-Country Drain to Basin #2
    - Sheet 25: .....Institute Road Improvements Plan
    - Sheet 26: .....Overall Erosion Control & Phasing Plan
    - Sheet 27-28: ..Erosion Control Plan
    - Sheet 29-31: ...Detail Sheet
    - Sheet 32: .....Soil Testing Results
  - b. Pre-Construction Plan – Prepared by Guerriere & Halnon, Inc. – black and white – 11" X 17" – Revised on February 2, 2017 – Received on February 22, 2017 – 1 page.

- c. Post Construction Plan – Prepared by Guerriere & Halnon, Inc. – black and white – 11" X 17" – Revised on February 2, 2017 – Received on February 22, 2017 – 1 page.
  - d. Street Drainage Area Plan – Prepared by Guerriere & Halnon, Inc. – black and white, Revised and Received on February 22, 2017, 1 page.
  - e. Revised Stormwater Report, revised through February 2, 2017, prepared by Guerriere & Halnon, Inc., stamped by Elizabeth Mainini; Received February 22, 2017; 136 pages.
17. Email – Subject: Definitive Plan Approval – "Village at Institute Road" Subdivision – 100 Westboro Road and Institute Road – from Joseph Shaughnessy – Dated February 26, 2017 – received February 27, 2017 – 1 page.
  18. Revised Waiver Request - Submitted by Guerriere & Halnon, Inc. – Dated February 27, 2017 – Received February 27, 2017 – 2 pages.
  19. No Exhibit – Place Holder
  20. Public Hearing Sign In Sheet – February 27, 2017 – 1 page.
  21. Decision Deadline Extension for Definitive Subdivision – Signed by Normand T. Gamache Jr., PLS – Dated February 27, 2017 – 1 page.
  22. Email – From: Nancy Connors, Board of Health – Re: Technical Review Committee Meeting – Tuesday, February 28, 2017@2pm – Dated February 27, 2017 – Received February 22, 2017 - 1 Page.
  23. Revised Waiver Request - Submitted by Guerriere & Halnon, Inc. – Dated February 28, 2017 – Received March 1, 2017 – 2 pages.
  24. Correspondence – Submitted by Greenman-Pedersen, Inc. – Subject: Traffic Impact & Access Study, Proposed Residential Development, Institute Road – Grafton, Massachusetts – Dated February 27, 2017 – Received March 2, 2017 – 1 Page.
  25. Email – Subject: Definitive Plan Approval – "Village at Institute Road" Subdivision – 100 Westboro Road and Institute Road – from Joseph Shaughnessy – Dated and Received March 2, 2017 – 1 page.
  26. Peer Review – Definitive Plan Review – Submitted by Graves Engineering, Inc. – Dated and Received March 21, 2017 – 14 pages.
  27. Email, Re: Village at Institute Rd Grafton, Request to Continue the Public Hearing to April 10, 2017, from Pete Lavoie, dated and received March 23, 2017; 1 page.
  28. Request to Continue the Public Hearing to April 24, 2017 and Extend the Decision Deadline to May 31, 2017 signed by Normand Gamache, Jr., Agent for the Applicant; dated and received April 6, 2017; 1 page.
  29. Request to Continue the Public Hearing to May 15, 2017 and Extend the Decision Deadline to June 30, 2017 signed by Normand Gamache, Jr., Agent for the Applicant; dated and received April 20, 2017; 1 page.
  30. Certified Abutters List, signed by Tammy Kalinowski Assessors Office Manager, received May 2, 2017; 1 page.

31. Legal Notification for Reopening of Public Hearing, stamped by the Town Clerk on May 1, 2017 – 3 pages.
32. Email Correspondence, Re: Village at Institute Road Grafton, Request to continue the Public Hearing to June 12, 2017, dated and received May 18, 2017; 1 page.
33. Mulling Rule Certification, Dave Robbins, Date of Missed Session: May 15, 2017, signed on May 22, 2017; 1 page.
34. Revised Plan Set: "The Village at Institute Road" A Definitive Conventional Subdivision in Grafton, MA Plan Set – prepared by Guerriere & Halnon, Inc.; black & white; 11"x17"; Revised: May 21, 2017 – Received on February 23, 2017 – 32 pages as follows:
  - Sheet 1: .....Cover Sheet
  - Sheet 2: .....Definitive Index Plan
  - Sheets 3-8: ... Lot Layout Plan
  - Sheet 9: .....Grading Index Plan
  - Sheets 10-15: .Grading Plan
  - Sheet 16: .....Plan and Profile: Audrina Lane
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  - Sheet 25: .....Institute Road Improvements Plan
  - Sheet 26: .....Overall Erosion Control & Phasing Plan
  - Sheet 27-28: ..Erosion Control Plan
  - Sheet 29-31: ...Detail Sheet
  - Sheet 32: .....Soil Testing Results
35. Revised Hydrologic & Hydraulic Report, prepared by Guerriere & Halnon, Inc., stamped by Elizabeth Mainini, Dated September 13, 2016, revised May 21, 2017, received May 23, 2017; 124 pages.
36. Public Hearing Sign In Sheet – June 12, 2017 – 1 page.
37. Request to Continue the Public Hearing to June 26, 2017 and Extend the Decision Deadline to July 28, 2017 signed by Normand Gamache, Jr., PLS, Agent for the Applicant; dated and received June 12, 2017; 1 page.
38. Peer Review – Definitive Plan Review – Submitted by Graves Engineering, Inc. – Dated and Received June 15, 2017 – 13 pages.

39. Request to Continue the Public Hearing to July 10, 2017 and Extend the Decision Deadline to August 17, 2017 signed by Normand Gamache, Jr., PLS, Agent for the Applicant; dated and received June 21, 2017; 1 page.
40. Request to Continue the Public Hearing to July 24, 2017, signed by Normand Gamache, Jr., PLS, Agent for the Applicant; dated and received June 6, 2017; 1 page.
41. Revised Plan Set: "The Village at Institute Road" A Definitive Conventional Subdivision in Grafton, MA Plan Set – prepared by Guerriere & Halnon, Inc.; black & white; 11"x17"; Revised: June 26, 2017 – Received on July 12, 2017 – 34 pages as follows:
  - Sheet 1: .....Cover Sheet
  - Sheet 2: .....Definitive Index Plan
  - Sheets 3-8: .....Lot Layout Plan
  - Sheet 9: .....Conditions of Approval Plan
  - Sheet 10: .....Overall Grading Plan
  - Sheets 11-16: Grading Plan
  - Sheet 17: .....Plan and Profile: Audrina Lane
  - Sheet 18-19: ...Plan and Profile: Brooke Street
  - Sheet 20: .....Plan and Profile: Dylan Way
  - Sheet 21: .....Plan and Profile: Cross Country Sewer & Westboro Road Sewer
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  - Sheet 24: .....Plan and Profile: Walking Paths
  - Sheet 25: .....Plan and Profile: X-Country Drain to Basin #2
  - Sheet 26: .....Institute Road Improvements Plan
  - Sheet 27: ...Overall Erosion Control & Phasing Plan
  - Sheet 28-29: ..Erosion Control Plan
  - Sheet 30-32: ...Detail Sheet
  - Sheet 33: .....Soil Testing Results
  - Sheet 34: .....Pump Station Design
42. Revised Stormwater Report, revised through June 26, 2017, prepared by Guerriere & Halnon, Inc., stamped by Elizabeth Mainini; Received July 12, 2017; 145 pages.
43. Applicant's Response to Definitive Plan Review, prepared by Guerriere & Halnon, Inc., dated and received July 12, 2017; 11 pages.
44. Improvements Plan, Prepared by Guerriere & Halnon, Inc., dated July 12, 2017, received July 24, 2017; 1 page.
45. Public Hearing Sign In Sheet – July 24, 2017 – 1 page.
46. Request to Continue the Public Hearing to August 14, 2017, signed by Normand Gamache, Jr., PLS, Agent for the Applicant; dated and received June 24, 2017; 1 page.

47. Peer Review – Definitive Plan Review – Submitted by Graves Engineering, Inc. – Dated July 26, 2017 and Received July 27, 2017 – 14 pages.
48. Peer Review, addressed to Maria Mast, Conservation Agent – Definitive Plan Review – Submitted by Graves Engineering, Inc. – Dated July 26, 2017 and Received July 27, 2017 – 14 pages.
49. Waiver Request - Submitted by Guerriere & Halnon, Inc. – Dated February 21, 2017 – Received August 9, 2017 – 2 pages.
50. Improvements Plan, Prepared by Guerriere & Halnon, Inc., revised through June 26, 2017 received August 9, 2017; 1 page.
51. Revised Waiver Request - Submitted by Guerriere & Halnon, Inc. – Dated August 10, 2017 – Received August 10, 2017 – 2 pages.
52. Public Hearing Sign In Sheet – August 14, 2017 – 1 page.
53. Request to Continue the Public Hearing to August 28, 2017, signed by Peter Lavoie, Engineer for Guerriere & Halnon, Inc. - dated August 14, 2017; 1 page.
54. Request to Extend the Decision Deadline, signed by Peter Lavoie, dated August 14, 2017; 1 page.
55. Response to Definitive Plan Review from Guerriere & Halnon, Inc., dated August 29, 2017, received August 30, 2017, 13 pages.
56. Stormwater Report, stamped by Elizabeth Mainini, prepared by Guerriere & Halnon, Inc., Dated September 13, 2016, revised through August 25, 2017; 143 pages.
57. Revised Plan Set: "The Village at Institute Road" A Definitive Conventional Subdivision in Grafton, MA Plan Set – prepared by Guerriere & Halnon, Inc.; black & white; 11"x17"; Revised: August 25, 2017; 34 pages as follows:
  - Sheet 1: .....Cover Sheet
  - Sheet 2: .....Definitive Index Plan
  - Sheets 3-8: ... Lot Layout Plan
  - Sheet 9: .....Conditions of Approval Plan
  - Sheet 10: .....Overall Grading Plan
  - Sheets 11-16: .Grading Plan
  - Sheet 17: .....Plan and Profile: Audrina Lane
  - Sheets 18-19: .Plan and Profile: Brooke Street
  - Sheet 20: .....Plan and Profile: Dylan Way
  - Sheet 21: .....Plan and Profile: Cross Country Sewer & Westboro Road Sewer
  - Sheet 22: .....Plan and Profile: Westboro Road
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  - Sheet 25: .....Plan and Profile: X-Country Drain to Basin #2
  - Sheet 26: .....Institute Road Improvements Plan
  - Sheet 27: .....Overall Erosion Control & Phasing Plan
  - Sheet 28-29: ..Erosion Control Plan

- Sheet 30-32: ...Detail Sheet
- Sheet 33: .....Soil Testing Results
- Sheet 34: .....Pump Station Design

58. Drainage Plans:

- a. Pre-Development Plan, prepared by Guerriere & Halnon, Inc., Stamped by Elizabeth Mainini and Normand T. Gamache Jr, PLS dated March 17, 2016, revised through May 21, 2017; 1 page.
- b. Post-Development Plan, prepared by Guerriere & Halnon, Inc., Stamped by Elizabeth Mainini and Normand T. Gamache Jr, PLS, dated March 17, 2016, revised through May 21, 2017; 1 page.

59. Decision Deadline Extension and Request to Continue the Public Hearing to September 25, 2017, signed by Normand T. Gamache Jr., PLS dated and received September 7, 2017; 1 page.

60. Comments – Board of Selectmen, dated & received 9/13/17, 1 sheet; Re: Street Light \Locations for Village at Institute Road

61. Revised Definitive Conventional Submission, prepared by Guerriere & Halnon, Inc., Stamped by Elizabeth Mainini and Normand T. Gamache Jr, PLS dated September 16, 2017, revised through September 13, 2017; 34 pages.

62. Response to Definitive Plan Review from Guerriere & Halnon, Inc., dated September 13, 2017, received September 14, 2017, 13 pages.

63. See Below

- a. Stormwater Report, stamped by Elizabeth Mainini, prepared by Guerriere & Halnon, Inc., Dated September 13, 2016, revised through September 14, 2017; 143 pages.
- b. Pre-Development Plan, prepared by Guerriere & Halnon, Inc., Stamped by Elizabeth Mainini and Normand T. Gamache Jr, PLS, dated March 17, 2016, revised through May 21, 2017; 1 page.
- c. Post-Development Plan, prepared by Guerriere & Halnon, Inc., Stamped by Elizabeth Mainini and Normand T. Gamache Jr, PLS, dated March 17, 2016, revised through May 21, 2017; 1 page.

64. Peer Review – Definitive Plan Review – Submitted by Graves Engineering, Inc. – Dated/Received September 18, 2017 – 8 pages

65. Request to Continue the Public Hearing to October 23, 2017, signed by Normand T. Gamache, Jr. PLS, for Guerriere & Halnon, Inc. - dated September 25, 2017; 1 page.

66. Request for Public Hearing Continuance and Decision Deadline Extension

67. Public Comments: P. Ballantyne of 100 Westboro Rd., email received 10/23/17; 1 page.

68. Revised Plan Set: "The Village at Institute Road" A Definitive Conventional Subdivision in Grafton, MA Plan Set – prepared by Guerriere & Halnon, Inc.; black & white; 11"x17"; Revised: October 3, 2017, received 10/3/17; 35 pages as follows:

- Sheet 1: .....Cover Sheet
- Sheet 2: .....Definitive Index Plan
- Sheets 3-8: ... Lot Layout Plan
- Sheet 9: .....Conditions of Approval Plan
- Sheet 10: .....Overall Grading Plan
- Sheets 11-16: ..Grading Plan
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- Sheet 26: .....Institute Road Improvements Plan
- Sheet 27: .....Overall Erosion Control & Phasing Plan
- Sheet 28-29: ..Erosion Control Plan
- Sheet 30-32: ...Detail Sheet
- Sheet 33: .....Soil Testing Results
- Sheet 34-35: ..Pump Station Design

69. Request to Continue the Public Hearing to November 27, 2017, signed by Normand T. Gamache Jr., PLS for Guerriere & Halnon, Inc. - dated November 13, 2017; 1 page.

70. Correspondence: Grafton Board of Selectmen, Re: Village at Institute Streetlight Location, received 11/20/17, 1 page

71. Revised Plan Sheets: "The Village at Institute Road" A Definitive Conventional Subdivision in Grafton, MA Plan Set – prepared by Guerriere & Halnon, Inc.; black & white; 11"x17"; Revised: November 21, 2017, received 11/28/17; 24 pages as follows:

- Sheet 10: .....Overall Grading Plan
- Sheet 11-16: ...Grading Plan
- Sheets 17: .....Plan and Profile: Audrina Lane
- Sheet 18-19: ...Plan and Profile: Brooke Street
- Sheets 20: .....Plan and Profile: Dylan Way
- Sheet 21: .....Plan and Profile: Cross Country Sewer & Westboro Road Sewer
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- Sheet 25: .....X-Country Drain to Basin #2
- Sheet 26: .....Institute Road Improvements Plan

- Sheet 27: .....Overall Erosion Control & Phasing Plan
- Sheet 28-29: ...Erosion Control Plan
- Sheet 30-32: ...Detail Sheet

72. Request to Extend Decision Deadline to January 26, 2018, signed by Normand T. Gamache, Jr., PLS, from Guerriere & Halnon, Inc. – dated November 27, 2017; 1 page

### **III. FINDINGS**

At their meeting of January 22, 2018, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Robbins, seconded by Mrs. Hassinger) voted 5-0 to make the following findings:

1. That this application is for a forty-six (46) lot Conventional Development Definitive Subdivision Plan, and has evolved from a Major Residential Special Permit (MRSP 2014-10) approval granted by the Planning Board decision dated February 10, 2016, and recorded in the Worcester District Registry of Deeds on March 15, 2016 in Book 55057, Page 216.
2. That the subject Site is located in an Office / Light Industrial (OLI) and Medium Density Residential (R-20) zoning districts, as shown on the Plans identified within the EXHIBITS of this Decision. The site is split by the two zoning districts with OLI zone along the Westboro Road frontage. The proposed subdivision is located entirely within the R-20 zone. A small of area of the northwest portion of site is located within the Water Supply Protection Overlay District.
3. The construction of the subdivision requires the installation of sewer, which shall be brought to the site from the existing terminus within Westboro Road.
4. The subdivision requires the lowering of Institute Road to address vertical sight distance issues, as established and required by MSRP 2014-10.
5. That determinations regarding the following findings are based upon the Plans identified in this Decision, as well as the information and material submitted and presented in association with the Application.
6. That determinations regarding the following findings are also predicated upon satisfactory completion of all road and other related improvements shown on the Plans in accordance with *Rules and Regulations Governing the Subdivision of Land: Grafton, Massachusetts*, revised through 4/27/09 (hereinafter *Rules and Regulations*), except where modified by this Decision or MRSP 2014-10, as well as in accordance with all applicable Federal, State and other Local regulations.
7. That determinations regarding the following findings are also predicated upon satisfying all of the conditions stated within this Decision and all applicable conditions of MRSP 2014-10

8. That the Applicant requested waivers from the following Sections of the *Rules and Regulations*:
- **Section 4.1.2.1. b)** – Proposed right-of-way grades not to exceed 6' above/below existing grades.
  - **Section 4.2.1.2** - Unless otherwise specified by the Planning Board, granite curbs of the dimensions given for granite curbs (Section M.9.04.1) Type VA4 shall be provided in the following locations along all other streets:
    - a) At intersections along the paving edge the distance of arcs of the curves plus a straight edge of eight feet (8') at the end of said arcs.
    - b) Along each edge of the roadway where the grade exceeds two percent (2%).
    - c) Along each edge of the roadway on all curves with the radius of less than two hundred fifty feet (250').
9. That the data submitted satisfies the requirements of Section 3.3.1 of the *Rules and Regulations* regarding submission of a Definitive Plan.
10. That the data submitted satisfies the requirements of Section 3.3.2 of the *Rules and Regulations* regarding Plan Sheets.
11. That the materials and information submitted satisfy the requirements of Section 3.3.3 of the *Rules and Regulations* regarding Definitive Plan Contents.
12. That the materials and information submitted satisfy the requirements of Section 3.3.4 of the *Rules and Regulations* regarding Additional Submittal Requirements. Some of the items were completed as part of the Major Residential Special Permit and Preliminary Plan Approval process (MRSP 2014-10) such as a traffic study (Section 3.3.4.7).
13. That during the public hearing the Board received testimony from abutters and area residents who expressed their concerns about the following (Exhibits #10, #17 & #25):
- Ensuring design is in keeping of New England character on Institute Road
  - Adequate sidewalk access
  - Location of sanitary pipes in relation to nearby wells
  - Dust control from rock crushing and general development tasks
14. That during the public hearing the Board and the Applicant discussed concerns raised by abutters about potential dust control. Abutter, Michael Gale of 107 East Street, asked if the Owner would install dust control fabric on the temporary construction fencing as a preventative measure. The Applicant stated that no temporary fencing was being proposed and that through the development of a phasing plan would limit activities near the abutting property. The Applicant agreed to locate the rock crushing activities to the cul-de-sac for Brook Street during the remainder of the construction activities so as to maximize distance between construction phases and the abutter to the south.

15. The Applicant submitted a construction phasing plan (Exhibit 71, Sheet 26) detailing the phased development of the development.
16. The Applicant agreed to relocate the sidewalk along Institute Road to the eastern side of Institute Road to avoid a wetland/vernal pool within the site. A rumble strip and pavement striping will delineate the travel way from the at grade sidewalk.
17. The Applicant has agreed to construct a foot path on the western side of the property to provide a connection through Town of Grafton land to the North Grafton Elementary School. The path will be located on Parcel C, which is to be deeded to the town.
18. That the Board's peer review consulting engineering, Jeffrey Walsh of Graves Engineering, conducted a number of reviews during the course of the public hearing (Exhibits #4, #38, #47 & #64). The Board notes that the Applicant had addressed all engineering issues to the satisfaction of Graves Engineering (Exhibit #64).
19. With regard to the conditions of approval listed in MRSP 2014-10, the Board finds that:
  - a.) With regard to Condition # 1, this Application is for a Conventional Development subdivision.
  - b.) With regard to Condition # 2, , the total number of lots intended for building purposes shown on the Definitive Plans does not exceed forty-six (46); The Definitive Plan submission calls for 46 lots. This condition remains in full force and effect.
  - c.) With regard to Condition #3, any Definitive Plan filed pursuant to the MRSP 2014-10 Decision shall depict lot coverage with regards to amount of wooded areas to be left undisturbed. In particular coverage on the lots with existing wooded slopes shall be developed to minimize disturbance to and are responsible to the natural systems that provide stormwater management safeguards and wildlife habitat sensitivity, remains in full force and effect.
  - d.) With regard to Condition #4, any Definitive Plan filed pursuant to the MRSP 2014-10 Decision shall demonstrate that they have satisfied the public safety requirements of Town including but not limited to the requirements of the Fire Department, Police Department and the Department of Public Works, remains in full force and effect.
  - e.) With regard to Condition # 5, the Applicant has included hydrant locations on the Plan set per the requirements of the Grafton Fire Department. This condition remains in full force and effect.
  - f.) With regard to Condition #6, the Applicant adequately addressed the outstanding issues identified by Graves Engineering's report dated December 18, 2015 (Exhibit #64).
  - g.) With regard to Conditions # 14, #15 and #16, the Applicant recorded the MRSP 2014-10 Decision with the Worcester District Registry of Deeds on March 15, 2016, Book 55057, and Page 216.

#### **IV. WAIVERS**

At their meeting of January 22, 2018 after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Robbins, seconded by Mrs. Hassinger voted 5 - 0 to **grant** the Applicant's request for waivers of strict compliance to the following sections:

- A. Section 4.2.1.2 (Curbs and Berms) of the Rules and Regulations to allow the use of low profile "Cape Cod" berms where the roadway grades exceed 2% and along curves with a radius of less than 250 feet. The Applicant agrees to utilize granite curbing at intersections in accordance with Section 4.2.1.2.a.
- B. Section 4.1.2.1 b) (Proposed right-of-way grades) of the Rules and Regulations to allow cuts/fills within the right-of-way to exceed six (6') feet of the existing grades.

#### **V. DECISION and CONDITIONS**

At their meeting of January 22, 2018, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Robbins, seconded by Mrs. Hassinger) voted 5 - 0 to **approve** the Application for Approval of a Definitive Subdivision Plan with the following conditions:

##### **A. Standard Conditions**

- 1. This Approval shall not be construed as approving the buildability of any lots shown on the Plans. All applicable Federal, State or other Local permits/approvals must be obtained for each lot prior to construction on said lot.
- 2. This Approval shall not be construed as final approval of any on- or off-site improvements or work (such as water, sewer, drainage, or other utilities installation) associated with this project and shown on the Plans. All applicable Federal, State and Local approvals/permits shall be obtained by the Applicant prior to the construction of any portion of the development or off-site improvements that warrant such approvals/permits. All applicable requirements of the Grafton Water District, Grafton Board of Health, Grafton Police Department, Grafton Department of Public Works, and all other applicable utilities, are hereby incorporated by reference as a requirement of this Decision.
- 3. Any modification to the approved Plans shall require, prior to implementing such change, a determination from the Planning Board as to whether the proposed change is substantially different than presented in the materials and information used in making this Decision. The Planning Board reserves the right to solicit comments from other Town boards, departments and committees, as well as its consulting engineer, in making determinations regarding such changes. The Planning Board may, upon its determination, require a modification of this Decision if it finds that the proposed changes are substantial in nature and of public concern, and substantially alter the plans and information used in making this Decision. Any Modification of this Decision shall be made pursuant to Section 3.3 of the *Subdivision Rules and Regulations*.

4. The Planning Board reserves the right, pursuant to the *Subdivision Rules and Regulations* and Section 1.5.1.1 of the Zoning By-Law, to utilize the services of a professional engineer in reviewing any materials required to be submitted as conditions of this Decision, and conducting any inspections or other work associated with the construction of the subdivision. In accordance with the applicable sections of the *Subdivision Rules and Regulations* and the ZBL, any fees or expenses associated with such reviews and inspections shall be the responsibility of the Applicant. Such inspections or reviews will not be conducted if a zero or negative balance exists in any account established by the Planning Board for the purposes stated in this Condition.
5. All site development and construction shall be performed in accordance with the approved Plans and the *Rules and Regulations Governing the Subdivision of Land: Grafton, Massachusetts* (revised through 4/27/09), as well as with all applicable Federal, State and Town laws, ordinances and regulations. In the event of a discrepancy between the Plans and the *Rules and Regulations*, and absent clarification or approval of such discrepancy stated within the Findings or Conditions of this Decision or any related Special Permit, the requirements of the *Rules and Regulations* shall apply. All required permits and approvals shall be secured by the Applicant at the appropriate stage of construction and copies of all pertinent documents regarding said permits and approvals shall be filed with the Planning Board in a timely manner.
6. Construction of the improvements shown on the Plans approved as part of this Decision is subject to approval by the Grafton Conservation Commission. Any Order of Conditions and/or permits issued by the Conservation Commission with respect to this Application are hereby incorporated by reference and shall constitute a condition of this Decision. If such Order of Conditions and/or permits require substantial modifications to any of the plans approved by the Planning Board, the Board may, upon its determination, require a modification of this Decision if it finds that the proposed changes are substantial in nature and of public concern, and substantially alter the plans and information used in making this Decision. Any modification of this Decision shall be made pursuant to Section 3.3 of the *Rules and Regulations*, and as noted within the Conditions of this Decision.
7. All grading and construction shall be performed in accordance with the Plan, as well as all applicable Federal, State and Local regulations, and shall be accomplished so as not to discharge any non-permitted pollutants or siltation into waterways during construction or after completion of the subdivision.
8. The Applicant, their successors and assigns, will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the construction of ways and municipal services necessary to adequately serve such lot has been completed in accordance with the approved Plans and the *Rules and Regulations*. In the event of a discrepancy between the Plans and the *Rules and Regulations*, and absent clarification or approval of such discrepancy stated within the Findings or Conditions of this Decision, the requirements of the *Rules and Regulations* shall apply.
9. The Definitive Plan, comprising of all sheets identified in Exhibit 68 as revised by Exhibit 71, shall be submitted for endorsement within six (6) months following approval. Said Plans shall be recorded at the WDRD.

10. This Definitive Plan Approval Decision shall be recorded in the Worcester District Registry of Deeds (WDRD) prior to any ongoing Town review and / or peer review associated with conditions set forth in this Decision. The Applicant shall submit evidence to the Planning Board that this Decision has been recorded at the WDRD, including a copy of such recording bearing the WDRD Book and Page Number and/or Instrument Number within ten (10) days of recording. Any such Plan(s) submitted to the Planning Board for approval shall contain reference to this Decision, as well as other related approvals, indicating that such plans are prepared pursuant to said Decision(s)/Approval(s) and shall include WDRD recording information, including Book and Page numbers. By recording this Definitive Plan Approval Decision in the Worcester District Registry of Deeds, the Applicant agrees to and accepts the conditions set forth in this Special Permit Decision, and which acceptance shall bind the Applicant and its successors and assigns.
11. All construction and site improvements shall be completed within two years of the date of plan endorsement or thirty (30) months from the date of this Decision, whichever occurs sooner. This Decision shall lapse after said applicable time period, and no other work may occur, and the subdivision approval shall be deemed automatically rescinded unless the Planning Board grants an extension pursuant to the *Subdivision Rules and Regulations*. Requests for extensions shall require a public hearing in accordance with all applicable requirements for conducting such hearings.
12. Any inability or failure or refusal by the Applicant to comply with the Conditions of this Decision, when notified of failure of compliance, shall be grounds for the immediate denial of building, construction or occupancy permits with respect to this project.

**B. Conditions to be met prior to Plan Endorsement**

1. The Conditions set forth in this Decision shall be inscribed on a sheet of the Plans suitable for recording at the Worcester Registry of Deeds (WDRD). Such sheets shall be so recorded as part of the Definitive Plan. Reference to these Conditions, as well as the WDRD Book and Page number of the recorded Decision and the corresponding sheet numbers shall also be inscribed on any sheet(s) that do not contain the Conditions of Approval.
2. The Applicant / Developer shall provide a performance guarantee pursuant to Section 3.3.8 of the Subdivision Rules and Regulations which state: "Construction and installation within the site property shall be secured by one, or in part by one and part by another, of the following methods which may, from time to time, be varied by the Applicant. Said security shall be posted and approved by the Planning Board prior to the construction, installation or sale of lots. Construction and installation within existing street right-of-ways shall be secured by surety as required under the Street Opening and / or other Permit(s)."
3. All applicable requirements of Section 3.3.7 of the *Rules and Regulations Governing the Subdivision of Land: Grafton, Massachusetts* (revised through 4/27/09) shall be satisfied.
4. The Applicant shall submit to the Planning Board written verification that the locations of the street lights show on the Plan have been approved by the Grafton Board of Selectmen. Technical specifications for said lighting, as approved by the DPW Director, shall be included on a sheet of the Plans.

**C. Conditions to be satisfied prior to the Start of Any Construction Activity**

1. Prior to the commencement of work, the Planning Board shall be provided with the following:
  - a. Five (5) full size plan sets, 24" x 36", endorsed and recorded, one of which shall be sent directly to the Town's peer review consulting engineer.
  - b. An electronic copy of the endorsed and recorded plan set. The electronic copy shall be in a "PDF" compatible format.
  - c. An electronic copy of the Lotting Plan in a format compatible for import to the Town's GIS system as specified by Planning Department Staff.
2. The Applicant / Developer shall submit acceptable construction and maintenance schedule documents in accordance with Section 3.3.7.3 of the the Subdivison Rules and Reguations.
3. Prior to commencement of work, a pre-construiciotn meeting shall occur with representatives from the Applicant and appropriate Town Departments/ Board's. The Applicant hsall contact the Planning Department to arrange the pre-construction meeting.
4. The Applicant / Developer shall comply with the phasing plan as documented by Exhibit 71, Sheet 27 and as may be modified by the Board. The Phasing plan shall be amended to reflect rock crushing and stockpiling activities being located on the northern poriton of the site near the Brook Street cul-de-sac.
5. In advance of any site clearing associated with each construction phase, the Applicant / Developer and/or its Agent shall participate in a site walk with the Town Planner to determine if any Heritage Trees exist on site as defined under Article 33 – Shade Tree of the Town's General By-Laws. Trees on site identified as such shall have orange snow fencing around them. Fencing shall be inspected by the Town Planner and Tree Warden and will receive written approval thereof prior to the commencement of construction activity on site. The Developer shall maintain fencing throughout the construction of the development. The fencing shall be inspected periodically by the Board or it's Agent to ensure compliance
6. An initial inspection of erosion control /site stabilization measures for each phase of construction shall be performed by agent(s) of both the Planning Board and Conservation Commisison in the presence of a representative of the Applicant / Developer, and notice of such inspection forwarded to both Boards. No construction activity shall occur on the Site until the Applicant / Developer receives written authorization from both the Planning Board and Conservation Commission regarding the adequacy of the initial erosion control and site stabilization measures for each phase. The Planning Board reserves the right to require additional eroison control/site stabilization measures at any time during the construction process should the Planning Board, Conservation Commission, or their agent(s) deem such measures necessary. The Applicant / Developer shall be notified in writing of the necessity for such additional measures, and shall complete all such requirements within ten (10) days of receiving said notice, or other time as may be agreed upon by both the Planning Board and Conservation Conservation Commission.
7. Prior to commencing any work within a public way, all required permits / approvals shall be obtained from the Grafton Department of Public Works.

8. In accordance with the National Pollutant Discharge Elimination System (NPDES) Phase II requirements, a Stormwater Pollution Prevention Plan shall be maintained at all times on the Site by the Applicant / Developer. A copy of this document shall be forwarded to the Planning Board, Conservation Commission and Department of Public Works prior to commencing any construction activity.

**D. Conditions to be met During Construction**

1. Construction and installation of the roadway and municipal services shall only occur Monday through Saturday between the hours of 7:00 a.m. and 5:00 p.m., and there shall be no construction activity on State or Federal holidays.
2. The Site shall be inspected on a regular basis by an agent of the Planning Board and/or Conservation Commission in the presence of a representative of the Applicant / Developer, in order to monitor the stormwater management system/facilities and erosion control/site stabilization measures.
3. All site construction, development and improvements shall be inspected at the appropriate stage(s) of construction by the Planning Board or its agent upon request made by the Applicant to the Planning Board or its agent, in accordance with any policies for such requests.
4. Except as otherwise approved by the Planning Board or modified as part of this Definitive Plan Approval Decision, all driveways, roadways, utilities and other improvements shall conform to the construction standards of the *Subdivision Rules and Regulations*. All site improvements shall be inspected at the appropriate stage of construction in accordance with the *Rules and Regulations* and as required by the Board.
5. During clearing operations, all efforts will be taken to retain trees within the development. Trees along lot lines and adjacent to the right-of-way shall be examined during site inspections for being preserved where grading changes are minimal.
6. Prior to clearing activities for subsequent construction phases, the agent of the Planning Board shall conduct an inspection to ensure that the previous phase is stabilized and/or erosion controls are in place. Written authorization shall be provided following such inspections.
7. Construction of path on Parcel C shall be concurrent with Phases 1 and 2 and completed prior to the detouring of traffic from Institute Road to Brook Street and Audriana Way. Surface shall be crushed stone and a width of 8 feet. Access to trail shall include a ramp to allow wheeled vehicle access from Brook Street. Detail shall be provided on plan set to be endorsed by the Board.
8. Prior to clearing associated with Phase 2 and 4, the center line of the road and the limit of clearing shall be staked. The Applicant and/or representative shall inspect the area to be cleared to identify whether any trees near the edges of the clearing area can be retained.
9. Prior to clearing associated with Phase 2, the Applicant shall prepare a traffic management plan for the detouring of traffic within the subdivision during construction activities associated with the lowering of Institute Road and installation of associated water infrastructure. The Planning Board, with DPW, Police, and Fire Departments, shall review and approve detour plan including any signage and/ or police details.

10. Every effort will be made to ensure that screening and buffering measures shall sufficiently screen/buffer, to the satisfaction of the Board, the proposed development from surrounding properties and dwellings.
11. In no case shall additional filling or land disturbance occur that results in a steeper slope or a slope that encroaches on the roadway to a greater degree than shown on the plans without the expressed prior approval of the Planning Board.
12. The Town reserves the right to require reasonable additional construction techniques, for either on-site or off-site work, in response to actual field conditions, effects of construction methods and as the situation warrants. This may include, without limitation, earth work, purchase and installation of materials, infrastructure, etc., and lot drainage issues.
13. Driveway slopes, both within and outside the right-of-way shall comply with the *Subdivision Rules and Regulations*, and development of individual lots shall not cause detrimental drainage, erosion or sedimentation onto adjacent property, roadways or lots. Driveways shall not exceed 10% in slope without prior approval by the Planning Department and Fire Department.
14. All construction vehicles and vehicles of all workers are to be parked on site. Parking of construction vehicles on Institute Road is specifically prohibited, except during the period of the initial clearing of the property.
15. The Applicant shall take all necessary measures to minimize dust from rising and blowing across the site and onto roads and adjacent properties. Any sediment or dirt tracked onto public ways shall be swept prior to the end of the construction day.
16. Following the approval of a Tree Plan, once the plant materials associated with the approved tree plan have arrived on site and prior to their installation, the Planning Board's agent shall be contacted to arrange an inspection and to approve the size, quantity and species of plant materials prior to their installation in the ground. Minimal changes to the exact location of species and plant materials may be approved by the Town Planner upon consultation with the Tree Warden provided the intent of the material is maintained.

**E. Conditions to be met prior to Release of Lots or Reduction of Surety**

1. The Applicant shall submit a Tree Plan for approval by the Board and/or its Agent and the Tree Warden. Street trees shall be native species.
2. Evidence shall be provided to the Planning Board and/or its Agent indicating compliance with conditions set forth by the Conservation Commission specifically regarding the operations and management of rain gardens to be installed by the developer and maintained by the private property owner as well as any other conditions associated with the operations and maintenance of the stormwater management system. Such conditions may or may not include deed restrictions for those lots on which a rain garden is installed per the approved Definitive Plan.
3. As per Section 3.3.10 of the *Subdivision Rules and Regulations*, prior to the release of any lot or reduction in surety, executed documents in a form acceptable to the Town shall be submitted that grant to the Town all rights regarding the roadway, drainage easements and all other infrastructure.

4. All stormwater management facilities and associated structures, including pipe, loaming, and seeding, shall be completed, and stormwater runoff suitably controlled, to the satisfaction of the Planning Board prior to the release of any lot within that portion of the subdivision.

**F. Conditions to be met prior to the Issuance of either a Temporary or Permanent Occupancy Permit**

1. The Building Inspector shall require proof of the following in consultation with the Town Planner:
  - a. A valid and duly recorded Lot Release documentation for said lot in question.
  - b. Proof of final approval of the Tree Plan as it pertains to the lot in question. The Town reserves the right to conduct a site inspection of lot to verify that the approved Tree Plan continues to remain valid. In the event that the plant material has failed (either by death or disease) new material will be installed at the expense of the Property Owner and / or its Agent or Builder. All work to replace plant material will be done to the satisfaction of the Planning Board or its agent and must receive final written approval to be submitted into the Planning Department project file and provided to the Building Department prior to the issuance of an occupancy permit.

**G. Conditions to be met prior to Request for Determination of Completeness**

1. Prior to acceptance of the way and improvements by the Town, a determination shall be made by the Planning Board, through its designated consulting engineer, as to whether the detention basins, rain gardens, as well as all other improvements, are constructed and operate as designed on the approved plan(s). If a negative determination is made, the Applicant shall, at their own expense, remedy any and all deficiencies to the satisfaction of the Board.
2. A final inspection by the Police Department and Department of Public Works will be conducted to ensure that all public safety signage and roadway markings have met the required standards. The Town reserves the right to require additional public safety controls in the event that site conditions may warrant. The Applicant / Developer shall be responsible to submitting a final approval from both the Police Department and the Department of Public Works that the all signs and other public safety controls have been identified and installed to their satisfaction. This Condition does not nullify or negate the requirements set forth in Section 3.2.11.2.d (Written Evidence of Compliance from Superintendent of Streets) of the Subdivision Rules and Regulations during the Determination of Completeness Review.
3. The Planning Board or its designated agent shall inspect all plantings to ensure that all the plantings have been installed as specified on the approved Tree Plan.

**VI. RECORD OF VOTE**

At their meeting of January 22, 2017, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Robbins, seconded by Mrs. Hassinger) voted 5 - 0 to **approve** the Application for Approval of a

Definitive Subdivision Plan for a 46 Lot, Conventional Development with Conditions based on the information received at the public hearing and the aforementioned findings.

<u>Michael Scully, Chairman</u>	<u>AYE</u>	<u>Linda Hassinger, Member</u>	<u>AYE</u>
<u>Robert Hassinger, Vice Chairman</u>	<u>AYE</u>	<u>David Robbins, Member</u>	<u>AYE</u>
<u>J. Daniel Graham, Clerk</u>	<u>AYE</u>		

**DATE OF FILING OF DECISION:**                      **BY ORDER OF THE BOARD**

  
Joseph Laydon, Town Planner

1-24-2018  
Date

cc: Applicant / Owner

- Graves Engineering
- Assistant Town Engineer
- Building Inspector
- Conservation Commission
- Board of Assessors

**To Whom It May Concern:** This is to certify and verify that twenty (20) days have elapsed since this decision was filed in the Town Clerk's office and that no appeals have been filed in reference to same, or that, if such appeal has been filed, it has been dismissed or denied.

**Kandy Lavallee, Interim Town Clerk**

Date \_\_\_\_\_